

APPEAL, DISPOSED, DISMISSED, TRANSFER

**U.S. Bankruptcy Court
District of Utah (Salt Lake City)
Adversary Proceeding #: 13-02310**

Assigned to: William T. Thurman*Date Filed:* 08/28/13*Lead BK Case:* [13-80001](#)*Date Terminated:* 12/13/13*Lead BK Title:* Raymond William Madsen and Nila Dawn Madsen*Lead BK Chapter:* 7*Demand:* 0*Nature[s] of Suit:* 91 Declaratory judgment

68 Dischargeability - 523(a)(6), willful and malicious injury

62 Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud

Plaintiff
-----**Steve S. Christensen**

Christensen Corbett & Pankratz, PLLC

136 E. South Temple, Suite 1400

Salt Lake City, UT 84111

801-303-5800

represented by **Craig L Pankratz**

Christensen Corbett & Pankratz

136 East South Temple

Suite 1400

Salt Lake City, UT 84111

(801) 303-5800

Fax : (801) 322-0594

Email: clp@ccplawyers.com***Plaintiff***
-----**Steve S. Christensen, P.C.**represented by **Craig L Pankratz**

(See above for address)

LEAD ATTORNEY

V.

Defendant
-----**Raymond Madsen**represented by **Jory L. Trease**

140 West 2100 South

Suite 212


Salt Lake City, UT 84115

(801) 596-9400


Fax : (801) 596-9401

Email: caseinfo.jtbankruptcy@gmail.com

Filing Date	#	Docket Text
08/28/2013	1 (20 pgs)	Adversary case 13-02310 . (91 (Declaratory judgment), 68 (Dischargeability - 523(a)(6), willful and malicious injury)): Complaint by Steve S. Christensen and Steve S. Christensen, P.C. against Raymond Madsen. Fee Amount \$293 (Pankratz, Craig) Modified on 8/29/2013 (sjl). (EOD: 08/28/2013)
08/28/2013		Summons Issued Summons Issued (Pankratz, Craig) (EOD: 08/28/2013)

08/28/2013		Receipt of filing fee for Complaint(13-02310) [cmp,cmp] (293.00). Receipt number 13484516, amount 293.00. (U.S. Treasury) (EOD: 08/28/2013)
08/28/2013	2 (1 pg)	Summons Service Executed. Party Served: Raymond William Madsen and Kevin R. Hansen. (Pankratz, Craig) Modified on 8/29/2013 (sjl). (EOD: 08/28/2013)
09/30/2013	3 (22 pgs)	Motion to Dismiss Adversary Proceeding based on Lack of Personal & Subject Matter Jurisdiction, Improper Venue, Failure to State a Claim upon which Relief can be Granted, Failure to Join an Indispensable Party; and, Motion to Impose Appropriate Sanctions against Plaintiffs and Their Counsel under various Provisions & Rules of the U.S. Bankruptcy Code Filed by Raymond Madsen (Trease, Jory) Modified on 10/1/2013 (sjl). (EOD: 09/30/2013)
10/01/2013	4 (5 pgs)	Notice and Opportunity for Hearing (related document(s): 3 Motion to Dismiss Adversary Proceeding) Filed by Jory L. Trease on behalf of Raymond Madsen Hearing scheduled for 11/18/2013 at 02:00 PM at US Bankruptcy Court.Deadline for filing objections: 10/18/2013. (Trease, Jory) (EOD: 10/01/2013)
10/16/2013		Clerk's Notice of Possible Error Re: Hearing Notice. (related document(s): 4) Notice of Hearing and Opportunity to Object event code used and image is Notice of Hearing (mtm) (EOD: 10/16/2013)
10/18/2013	5 (30 pgs)	Memorandum in Opposition to <i>Motion to Dismiss and Motion for Sanctions</i> Filed by Steve S. Christensen (Pankratz, Craig). Related document(s) 3 Motion to Dismiss Adversary Proceeding based on Lack of Personal & Subject Matter Jurisdiction, Improper Venue, Failure to State a Claim upon which Relief can be Granted, Failure to Join an Indispensable Party; and, Motion to Impose Appropriate Sanctions against Plaintiffs and Their Counsel under various Provisions & Rules of the U.S. Bankruptcy Code filed by Defendant Raymond Madsen. Modified on 10/18/2013 (sjl). (EOD: 10/18/2013)
11/18/2013		Minute Entry Re: Defendant's Motion to Dismiss Adversary Complaint and Motion to Impose Sanctions Against Plaintiffs (related document(s): 3 Motion to Dismiss Adversary Proceeding filed by Raymond Madsen) Appearances : Jory L. Trease (Dfd); Craig Pankratz (Plf). Matter taken under advisement. (TRC; tjc) (EOD: 11/18/2013)
11/18/2013	6 (1 pg)	 PDF with attached Audio File. Court Date & Time [11/18/2013 2:01:17 PM]. File Size [6156 KB]. Run Time [00:25:39]. (admin). (EOD: 11/19/2013)
12/13/2013	7 (4 pgs)	Order Dismissing Adversary Proceeding. Motion for Sanctions is continued without date. (sjl) (EOD: 12/13/2013)
12/13/2013		Adversary Case 2:13-ap-2310 Disposed. (sjl) (EOD: 12/13/2013)
12/18/2013	8 (2 pgs)	Notice of Appeal (related document(s): 7 Order Dismissing Adversary Proceeding) Fee Amount: 298, Filed by Steve S. Christensen Appellant Designation due by 01/2/2014. (Pankratz, Craig) (EOD: 12/18/2013)
12/18/2013		Receipt of filing fee for Notice of Appeal(13-02310) [appeal,ntcapl] (298.00). Receipt number 13903801, amount 298.00. (U.S. Treasury) (EOD: 12/18/2013)
12/19/2013	9 (6 pgs)	Clerk's Notice of Filing of Appeal. An Election to District Court Has Not Been Filed. (related document(s): 8 Notice of Appeal filed by Plaintiff Steve S. Christensen) (jwg) (EOD: 12/19/2013)
12/19/2013		Notice from BAP: BAP Appeal Number:UT-13-94 (related document(s): 8 Notice of Appeal). (jwg) (EOD: 12/19/2013)

12/21/2013	<u>10</u> (2 pgs)	BNC Certificate of Service - Re: Appeal Guidelines. (related document(s): <u>9</u> Clerk's Notice of Filing of Appeal) Notice Date 12/21/2013. (Admin.) (EOD: 12/21/2013)
12/21/2013	<u>11</u> (7 pgs)	Certificate of Service Re: Order. (related document(s): <u>9</u> Clerk's Notice of Filing of Appeal) Notice Date 12/21/2013. (Admin.) (EOD: 12/21/2013)
01/02/2014	<u>12</u> (2 pgs)	Appellant Designation of Record and Statement of Issues of Appeal (related document(s): <u>8</u> Notice of Appeal) Filed by Steve S. Christensen Appellee designation due by 01/16/2014. (Pankratz, Craig) (EOD: 01/02/2014)
01/06/2014	<u>13</u> (2 pgs)	Statement of Issues to be Presented on Appeal Filed by Steve S. Christensen (Pankratz, Craig) Modified on 1/6/2014 (sjl). (EOD: 01/06/2014)
01/15/2014	<u>14</u> (4 pgs)	Appellee Designation of Record (related document(s): <u>8</u> Notice of Appeal) Filed by Raymond Madsen (Trease, Jory) Modified on 1/16/2014 (jwg). (EOD: 01/15/2014)
01/16/2014	<u>15</u> (3 pgs)	Appellee Statement of Issues on Appeal Filed by Raymond Madsen (Trease, Jory) Modified on 1/16/2014 (jwg). (EOD: 01/16/2014)
01/27/2014	<u>16</u> (1 pg)	Request for Transcript Filed by Steve S. Christensen Transcript Due by 02/26/2014. (Pankratz, Craig) (EOD: 01/27/2014)
01/27/2014	<u>17</u> (1 pg)	Request for Transcript with Transcriptionist's signature. Transcript Due by 2/26/2014. (klc) (EOD: 01/27/2014)
02/04/2014	<u>18</u> (20 pgs)	Transcript regarding Hearing Held November 18, 2013 RE: Motion to Dismiss Adversary Proceeding. THIS TRANSCRIPT WILL BE MADE ELECTRONICALLY AVAILABLE TO THE GENERAL PUBLIC 90 DAYS AFTER THE DATE OF FILING, TRANSCRIPT RELEASE DATE IS 5/5/2014. Until that time the transcript may be viewed at the Bankruptcy Court or a copy may be obtained from the official court transcriber. Court Reporter/Transcriber Carolyn Erickson, CSR, Telephone number 801-523-1186. (related document(s): <u>3</u> Motion to Dismiss Adversary Proceeding filed by Defendant Raymond Madsen, Clerk's Tracking Re: Transcript Request) Notice of Intent to Request Redaction Deadline Due By 2/11/2014. Redaction Request Due By 2/25/2014. Redacted Transcript Submission Due By 3/7/2014. Transcript access will be restricted through 5/5/2014. (ma) (EOD: 02/05/2014)
08/25/2014	<u>19</u> (12 pgs)	Copy of Unpublished Opinion By BAP Judges Nugent, Romero, and Somers, Re: Appeal on BAP #: UT-13-094, Ruling: Reversed and Remanded. (related document(s): <u>8</u> Notice of Appeal) (jwg) (EOD: 08/25/2014)
08/25/2014	<u>20</u> (1 pg)	Copy of BAP Judgment Re: Appeal on BAP #: UT-13-094 (related document(s): <u>8</u> Notice of Appeal) (jwg) (EOD: 08/25/2014)
09/09/2014	<u>21</u> (1 pg)	Copy of BAP Mandate (related document(s): <u>8</u> Notice of Appeal). (jwg) (EOD: 09/09/2014)
10/02/2014	<u>22</u> (3 pgs)	Order Setting Hearing on Consideration of Remand from the Bankruptcy Appellate Panel. The parties are directed to submit memoranda in support of their positions as to how the Court should interpret and properly address the Opinion dated August 25, 2014, issued by the 10th Circuit Bankruptcy Appellate Panel not later than October 17, 2014. Hearing scheduled for 10/21/2014 at 02:00 PM at US Bankruptcy Court. (sjl). Related document(s) <u>19</u> Order BAP re: Appeal. (EOD: 10/02/2014)
10/03/2014	<u>23</u> (28 pgs; 2 docs)	Memorandum (related document(s): <u>19</u> Order BAP re: Appeal, <u>22</u> Order to Continue Hearing) <i>as to how the Court should interpret and properly address the opinion dated August 25, 2014 issued by the 10th circuit bankruptcy appellate panel</i> Filed by Steve S. Christensen (Pankratz, Craig) (EOD: 10/03/2014)

10/15/2014	24 (3 pgs)	Order Regarding Witnesses and Exhibits. Final lists of witnesses and exhibits are due from plaintiff and from defendant by October 16, 2014. The parties shall lodge with the chamber of Judge William T. Thurman the following: (1) The original and two (2) copies of all exhibits, bound and tabbed. All exhibits shall be marked using exhibit labels (stickers) obtained from the clerk as required. (2) List of witnesses with correct spelling of the witnesses full name. No witness whose name has not been provided hereby shall be permitted to testify at trial, and no exhibit that has not been exchanged and specifically identified as required hereby shall be admitted into evidence at trial absent a showing of good cause. (related document(s): 22 Order to Continue Hearing) (mtm) (EOD: 10/15/2014)
10/17/2014	25 (14 pgs)	Memorandum of Defendant/Debtor, Raymond William Madsen, by and through Jory L. Trease, Esq. Inc. Regarding the Interpretation of the August 25, 2014 Opinion of the 10th Cir. Bap Remand of the Matter. (related document(s): 19 Order BAP re: Appeal) (djf) (EOD: 10/20/2014)
10/21/2014		Minute Entry Re: Remand of Order of Dismissal(related document(s): 22 Order) Appearances: Craig L Pankratz (Plf); Jory L. Trease (Dfd). Matter taken under advisement. Parties directed to discuss settlement and report status to Tina Coates by 10/29/14. (TRC; tjc) (EOD: 10/21/2014)
10/21/2014	26 (1 pg)	 PDF with attached Audio File. Court Date & Time [10/21/2014 2:04:33 AM]. File Size [17221 KB]. Run Time [01:11:45]. (admin). (EOD: 10/21/2014)
12/29/2014	27 (8 pgs)	Order Transferring Case to the Bankruptcy Court for the Western District of Washington. (jtt) (EOD: 12/29/2014)

PACER Service Center			
Transaction Receipt			
12/29/2014 14:58:23			
PACER Login:	ub1219:4262231:4260698	Client Code:	
Description:	Docket Report	Search Criteria:	13-02310 Fil or Ent: filed Doc From: 0 Doc To: 99999999 Term: included Format: html Page counts for documents: included
Billable Pages:	3	Cost:	0.30